IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.21084 of 1998

Dated: 26-03-2007

Between:

1. Smt. Kondla Anjali, w/o late Venkataiah and 3 others.

... Petitioners

and

1. The District Collector (Panchayat Wing),
   Karimnagar District,
   Karimnagar and 3 others.

... Respondents

ORDER:

Heard learned counsel for the parties.

2. Petitioners state that they are the joint owners of the property bearing Nos.11-56/2 and 11-56/1/4, situated at Husnabad and the said buildings have been constructed after obtaining necessary permission from fourth respondent – the Executive Officer, Gram Panchayat, Husnabad. They further state that as respondents, in the process of widening the road leading from Husnabad to Akkannapet, are trying to

demolish the existing structures raised by petitioners, without following due process of law or without initiating any proceedings under the provisions of the Land Acquisition Act, 1894, they filed the present writ petition seeking a *mandamus* to declare the impugned action of respondents in threatening to demolish the houses in question,
as arbitrary and illegal.

3. This Court on 28-07-1998 while issuing *Rule nisi,*
in W.P.M.P.No.25268 of 1998 granted interim direction directing respondents not to demolish the premises of petitioners without issuing prior notice and without following the due procedure prescribed by law, pending further orders.

4. Having heard learned counsel for petitioners and upon perusing the averments made in the affidavit filed in support of the writ petition,
this Court is of the view that the writ petition can be disposed of with a direction to respondents not to demolish the house of petitioners, without following due process under law.

5. Accordingly, the writ petition is disposed of. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.26-03-2007
GLV